IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

Crl.Rev.Pet.No. 1072 of 2000(C)

STC.1633/1996 of JUDL.MAGISTRATE OF FIRST CLASS, NADAPURAM
CRA.501/1999 of ADDL.SESSIONS COURT-II, KOZHIKODE

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REVN. PETITIONER:

PAYYADA BHASKARAN,
S/O. APPU KURUP,
THODANNUR AMSOM DESOM,
(P.O.) THODANNUR,
KOZHIKODE DISTRICT.

BY ADV. SRI.C.VATHSALAN

RESPONDENTS:
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1. PADINHAREKANDIYIL PADMARAJAN,
   S/O. KELU NAIR,
   AROOR AMSOM DESOM,
   (P.O.) AROOR, (VIA) KAKKATTIL,
   KOZHIKODE DISTRICT.

2. STATE OF KERALA REPRESENED BY
   THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA,
   ERNAKULAM.

BY ADV. SRI.K.P.DANDAPANI
SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 22/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL. M.P. NO. 5733/2000 IN CRL. R.P. NO. 1072/2000

DISMISSED

22.11.2007 SD/- K.R. UDAYABHANU, JUDGE.

/True Copy/

P.A to Judge.

K.R. UDAYABHANU, J

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CRL. R.P. NO. 1072 OF 2000

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Dated this the 22nd day of November, 2007

O R D E R

The revision petitioner, who is the accused in S.T. No. 1633 of 1996, stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a compensation of Rs.10,000/- and in default to undergo simple imprisonment for two months.

2. The counsel for the petitioner has only sought for modification of sentence and for time to pay the amount of compensation. It is admitted by the respondent/complainant that a sum of Rs.35,000/- was received during the pendency of the proceedings. In the circumstances, the sentence imposed on the revision petitioner is modified to imprisonment till the rising of the court and to pay the balance cheque amount of Rs.90,000/- (Rupees ninety thousand only) as compensation and in default to undergo simple imprisonment for three months. The revision petitioner is granted six months time from today onwards to pay the amount of compensation. He shall appear before the Judicial First Class Magistrate, Nadapuram on **22.05.2008** to receive sentence.

The Crl.R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

rv

K.R. UDAYABHANU, J

CRL. R.P. NO. 1072 of 2000

22nd day of November, 2007

ORDER